

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

BEN SANDERS, JR.,

Plaintiff,

ORDER

v.

08-cv-716-slc

ALFONSO GRAHAM and
JAYNE HACKBARTH,

Defendants.

Plaintiff Ben Sanders, Jr., an inmate at the Fox Lake Correctional Institution in Fox Lake, Wisconsin, originally filed this civil action against defendants in the Circuit Court for Dane County. In the complaint, plaintiff contends that he has the right to have his parole hearings deferred no more than twelve months under the ex post facto clause of the United States Constitution. On December 11, 2008, defendants removed this action to this court pursuant to 28 U.S.C. §§ 1441 and 1446 and paid the \$350 filing fee.

Plaintiff is represented by counsel. However, because plaintiff is a prisoner, he is subject to the 1996 Prison Litigation Reform Act. Under the act, plaintiff cannot proceed with this action unless the court grants him permission to proceed after screening his complaint pursuant to 28 U.S.C. § 1915A.

Accordingly, IT IS ORDERED that plaintiff's complaint is taken under advisement. As soon as the court's calendar permits, plaintiff's complaint will be screened pursuant to 28 U.S.C. § 1915A to determine whether the case must be dismissed either because the complaint is frivolous or malicious, fails to state a claim on which relief may be granted or seeks monetary

relief against a defendant who is immune from such relief.

Entered this 16th day of December, 2008.

BY THE COURT:

/s/

STEPHEN L. CROCKER
Magistrate Judge